

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI**

GLORIA GIEFER,)
)
Plaintiff,)
)
vs.)
)
DEBT RECOVERY)
SOLUTIONS, LLC,)
)
Defendant.)

COMPLAINT

NOW COMES the Plaintiff, Gloria Giefer, by and through undersigned counsel, and for her complaint against the Defendant, Debt Recovery Solutions, LLC, Plaintiff states as follows:

I. PRELIMINARY STATEMENT

1. This is an action for actual and statutory damages for violations of the Fair Debt Collection Practices Act 15 U.S.C. §1692 et seq. ("FDCPA").

II. JURISDICTION & VENUE

2. Jurisdiction arises under 15 U.S.C. § 1692 and pursuant to 28 U.S.C. § 1331.
3. Venue is proper in this District in that Plaintiff resides here, Defendant transacts business here, and the conduct complained of occurred here.

III. PARTIES

4. Gloria Giefer ("Plaintiff") is a natural person who resides in Independence, Missouri.
5. Plaintiff is a "consumer" as that term is defined by the FDCPA, 15 U.S.C. §1692a(3).
6. Debt Recovery Solutions, LLC ("DRS") is a foreign business entity engaged in the collection of consumer debt within the State of Missouri.
7. DRS is a "debt collector" as that term is defined by the FDCPA, 15 U.S.C. § 1692a(6).

IV. ALLEGATIONS

8. The debt allegedly owed by Plaintiff ("the Debt"), was incurred primarily for personal, family, or household services and is therefore a "debt" as that term is defined by the FDCPA, 15 U.S.C. § 1692a(5).
9. On or about August 1, 2016, Plaintiff retained counsel to assist in the resolution of several debts, including the Debt.
10. On or about November 1, 2016, Plaintiff received a telephone call from a DRS representative regarding the Debt.
11. During the Call, Plaintiff explained to the DRS representative that she was represented by counsel, provided her counsel's contact information, and requested that all further communications be directed to her counsel.
12. Despite receiving notice that Plaintiff was represented by an attorney, DRS has continued to contact Plaintiff directly.

13. These communications by DRS violated 15 U.S.C. § 1692c(a)(2) of the FDCPA, which prohibits debt collectors from contacting consumers after receiving notice that the consumer is represented by an attorney.

VII. PRAYER FOR RELIEF

WHEREFORE, Plaintiff, Gloria Giefer, respectfully prays for judgment as follows:

- a. All actual compensatory damages suffered pursuant to 15 U.S.C. § 1692k(a)(1) from DRS and for Plaintiff;
- b. Statutory damages of \$1,000.00 pursuant to 15 U.S.C. § 1692k(a)(2)(A) from DRS and for Plaintiff;
- c. Plaintiff's attorneys' fees and costs pursuant to 15 U.S.C. § 1692k(a)(3) from DRS and for Plaintiff;
- d. Any other relief deemed appropriate by this Honorable Court.

Respectfully submitted,

CREDIT LAW CENTER

By: /s/ Andrew M. Esselman

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